

Certificate of Electronic Transmission
I hereby certify that this document is being transmitted
electronically on November 30, 2009, to the U.S. Patent and
Trademark Office via the USPTO's Electronic Filing Service
(EFS-Web).

Typed or Printed name of person signing this certificate:

Wendy A. Frick

Wendy A. Frick

Customer Number

27483

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Raymond J. Baxter, et al.) Examiner: Nguyen, Hung D.
)
Serial No.: 10/780,984) Art Unit: 3742
)
Filed: February 18, 2004) Confirmation No.: 3041
)
For: **ADJUSTABLE MAGNETIC**) Attorney Docket: 11694/04304
SEPARATOR)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

Dear Sir:

A telephone interview was conducted between Applicants' attorney, David Grover, and Examiners Hung Nguyen and Tu Hoang on November 3, 2009. In the interview, Examiners Nguyen and Hoang agreed that claim 27 would be patentable over the applied references and in condition for allowance with the incorporation of the features of claims 2 and 5, and the inclusion of clarifying language regarding the inlet and outlet openings. The text of claim 27 with the agreed upon amendments is as follows:

27. (Amended) A magnetic separator for spacing a plurality of workpieces in face-to-face relationship, said separator comprising:

an upper guide plate and a lower guide plate that define a passage having an inlet opening and an outlet opening for workpieces moving through said separator, said inlet opening having a funnel-shaped configuration adapted to admit and align any misaligned workpieces moving into said passage;

an upper pole piece adjacent said upper guide plate and a lower pole piece adjacent said lower guide plate, said upper and lower pole pieces providing a magnetic field operative to orient workpieces in said passage; and

an adjustment mechanism for adjusting the vertical position of said upper guide plate relative to said lower guide plate;

said adjustment mechanism comprising a member that is rotatable about an axis, said rotatable member having a first portion fixed for vertical movement with said upper guide plate and a second portion that is threadedly received in a frame portion of said separator, rotation of said rotatable member about said axis causing axial movement of said rotatable member and thereby of said upper guide plate relative to said frame portion;

wherein said lower guide plate has an intermediate portion that extends between an inlet end portion and an outlet end portion of said lower guide plate, said inlet end portion of said lower guide plate extending parallel to said intermediate portion of said lower guide plate;

said upper guide plate having an intermediate portion that extends between an inlet end portion and an outlet end portion of said upper guide plate, said inlet end portion of said upper guide plate extending transverse to said intermediate portion of said upper guide plate; and

wherein said passage has an intermediate portion disposed between said inlet opening and said outlet opening, said inlet opening being substantially larger in cross-sectional area than said intermediate portion of said passage.

Examiner Nguyen agreed to enter the above amendments to claim 27 as Examiner's amendments in a Notice of Allowance, along with cancellation of claims 2, 5, 36, 44, and 52-54, and amendment of claims 3 and 48-51 to depend from claim 27.

In a follow-up telephone call on November 23, 2009, Examiner Nguyen indicated that a Notice of Allowance had been drafted and approved by the Supervisory Patent Examiner, Examiner Hoang. In another telephone call on November 30, 2009, Examiner Nguyen confirmed that while Examiner Nguyen's Interview Summary dated November 27, 2009 did not mention the allowance of an amended claim 27 as proposed and indicated that an agreement was not reached, that a Notice of Allowance including the agreed upon amendments would be forthcoming.

If the Examiner believes that additional discussions or information might advance the prosecution of this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,

Dated: 11/30/2009



David J. Grover
(Reg. No.: 58,930)

Calfee, Halter & Griswold
1400 KeyBank Center
800 Superior Avenue
Cleveland, Ohio 44114-2688
(216) 622-8333

(216) 241-0816 (Fax)